

DETAILED ACTION

1. This Office Action is in response to the most recent papers filed on November 14, 2008.

Response to Arguments and Amendment

2. Applicant's arguments, filed September 29, 2008, have been fully considered in view of the amended claims and are persuasive. The rejection of claims 1, 3-11 & 13-24 have been withdrawn.

Allowable Subject Matter

3. Claims 1, 3-11 & 13-24 are allowed. No reason for allowance is needed as the record is clear in light of applicant's arguments and specification.

EXAMINER'S AMENDMENT

4. An examiner's amendment to the record appears below. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it MUST be submitted no later than the payment of the issue fee.

Authorization for this examiner's amendment was given in a telephone interview with Lawrence J. Merkel on December 1, 2008.

Applicants Specification page 18 as labeled by applicant has been amended as follows:

Turning now to Fig. 6, a block diagram of a computer accessible medium 200 is shown. Generally speaking, a computer accessible medium may include any media accessible by a computer during use to provide instructions and/or data to the computer. For example, a computer accessible medium may include storage media such as magnetic or optical media, e.g., disk (fixed or removable), tape, CD-ROM, or DVD-ROM, CD-R, CD-RW, DVD-R, DVD-RW, volatile or non-volatile memory media such as RAM (e.g. synchronous dynamic RAM (SDRAM), Rambus DRAM (RDRAM), static RAM (SRAM), etc.), ROM, Flash memory, non-volatile memory (e.g. Flash memory) accessible via a peripheral interface such as the Universal Serial Bus (USB) interface, etc., ~~as well as media accessible via transmission media or signals such as electrical, electromagnetic, or digital signals,~~ conveyed via a communication medium such as a network and/or a wireless link. The computer accessible medium 200 in Fig. 6 may be encoded with one or more of the backup software 14 and/or 34. Additionally, the computer accessible medium 200 may be encoded with one or more Registry files 202, which may comprise an instance of the Registry 50 including the HardwareKeys. The backup software 14 and/or 34 may comprise instructions which, when executed, implement the operation described herein for the software. Generally, the computer accessible medium 200 may store any set of instructions which, when executed, implement a portion or all of the flowcharts shown in one or more of Figs. 4 and 5. In some embodiments, a computer accessible medium similar to the computer accessible medium 200 may be included in the computer system 30, the client 12, and/or the backup server 10.

Fig. 7 is a block diagram of one embodiment of an exemplary computer system 210. In the embodiment of Fig. 7, the computer system 210 includes a processor 212, a memory 214, and various peripheral devices 216. The processor 212 is coupled to the memory 214 and the peripheral devices 216.

The processor 212 is configured to execute instructions, including the instructions

The amendment above was authorized by applicant's representative to make clear that signals are not being claimed in this application. This is considered the explicit surrender of patent rights to signals. This is not considered to be new matter.

Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to BENJAMIN A. KAPLAN whose telephone number is (571)-270-3170. The examiner can normally be reached on 7:30 a.m. - 5:00 p.m. E.S.T..

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Kambiz Zand can be reached on (571) 272-3811. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

Application/Control Number: 10/789,901
Art Unit: 2439

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